

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN**

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MICHAEL A. LEE, JR.,

Plaintiff,

v.

Case No. 2:22-CV-00930

GINA AMBASAN,

Defendant.

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**AFFIDAVIT OF THOMAS M. DEVINE**

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STATE OF WISCONSIN      )  
                                )  
                                ) SS:  
COUNTY OF RACINE        )

I, Thomas M. Devine, do state under oath that:

1. I am one of the attorneys representing the defendant, Gina Ambasan in the above entitled matter.
2. Attached hereto as Exhibit 1 is a true and correct copy of the last page of the March 28, 2024 safe harbor letter from Attorney Motley.
3. Attached hereto as Exhibit 2 is a true and correct copy of the April 17, 2024 letter supplementing information to include the investigations by the DOC and sheriff.
4. Joseph Soneberg was deposed on April 30, 2024. He testified that the investigation did not find any other evidence to support Mr. Lee's claim concerning sex.

5. Attached hereto as Exhibit 3 is a true and correct copy of the Subpoena to Testify at a Deposition for Gina Ambasan scheduled for April 29, 2024 served on counsel on March 28, 2024.

6. On April 29, 2024, Ms. Ambasan testified during her deposition that her phone number at the time was (262) 930-0972. She was asked about other numbers in her deposition and said she did not recognize the numbers.

7. Ms. Ambasan was deposed on April 29, 2024 and disclosed all the people with whom she discussed Mr. Lee's activity, including the activity concerning the investigations. She denied that there was any physical sexual contact between herself and Mr. Lee.

8. Attached as Exhibit 4 is a true and correct copy of the Amended Criminal Complaint against Ms. Ambasan.

Dated May 2, 2024.

s/ Thomas M. Devine  
Thomas M. Devine

Subscribed to and sworn before me  
this 2<sup>nd</sup> day of May, 2024.

s/ Darcy L. Redding  
Notary Public, State of Wisconsin  
My Commission expires 10-12-25.